

## **REMARKS**

In accordance with the foregoing, claims 1, 6-13, 15, 16, 18, 20, 26-33, 35, 36, 38, and 40 are amended. Claim 41 is added. No new matter is added. Claims 1-41 are pending and under consideration.

### **CLAIM OBJECTIONS**

Claims 6, 8, 26, and 28 are amended herewith in the manner suggested by the Examiner to overcome the objections.

### **CLAIM REJECTIONS UNDER 35 U.S.C. §112**

Claims 1 and 20 are amended herewith to recite a reproducing unit and a reproducing respectively. The claim amendments are fully supported by the originally filed specification, for example, page 10, lines 12 to 13.

Claims 10 and 30 are amended to replace the term "original information."

Claims 11 and 31 are amended to replace the terms "pre-updating information" and "post-updating information."

Claims 18 and 38 are amended to remove the term "normal information."

Various claims are amended to achieve a better form and clarify the claimed subject matter. No new matter is added.

In view of the claims amendments, Applicants respectfully request withdrawal of the claims rejections under 35 U.S.C. §112.

### **CLAIM REJECTIONS UNDER 35 U.S.C. §102**

Claims 1, 2, 5, 17, 20-22, 25, 37, and 40 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,421,006 to Jablon et al. (hereinafter "Jablon").

Jablon is directed to a method and device for reliably assessing the integrity of a computer system's software and preventing execution of corrupted programs at time of system initialization, thereby enhancing system security (see Jablon's Abstract).

Claim 1 recites an information reproducing apparatus having a secure module, a memory, a falsification checking unit and a reproducing unit.

On page 4, lines 1-3, the Office Action asserts that the secure module of claim 1 is anticipated by col. 8 lines 39-41 of Jablon, reproduced below:

Embodiments of the invention store data in a protectable memory region during a software configuration process, and use this data to verify system initialization programs before they are run.

In lines 45-46 of col. 8, Jablon reveals that the term "protectable" means "read-only." In contrast, claim 1 recites that "the secure module can not be accessed from outside" which means that the secure module can not be read from outside not only that it can not be written from outside as a "read-only" protectable memory.

Additionally, claim 1 specifies that "the falsification checking unit reads the second information from the memory by direct access." As known in the art, direct access means reading or writing a memory without using a CPU (Direct Memory Access is usually abbreviated as DMA). The direct access results in a higher processing speed and ensures more security. Jablon does not teach or suggest accessing the protected memory using direct access.

Moreover, Jablon does not anticipate the reproducing unit newly recited in claim 1.

Therefore, Jablon fails to anticipate every feature recited in claim 1, so that claim 1 and claims 2-19 depending from claim 1 patentably distinguish over Jablon.<sup>1</sup>

Claim 20 also patentably distinguishes from Jablon because Jablon fails to anticipate at least that "the memory can be accessed from outside using a direct access method", and "reproducing the second information when a result of falsification checking is that the second information is not falsified" as recited in claim 20.

Relative to claim 21, Jablon fails to anticipate at least "a reading unit that reads a second information from a memory mounted to a information reproducing apparatus by direct access, the memory can be accessed from outside." Therefore, claim 21 and claims 22-39 depending directly or indirectly from claim 21 are patentable.

Claim 40 patentably distinguishes over Jablon at least by reciting "reading a second information stored in a memory mounted to the information reproducing apparatus, wherein the secure module stores a first information, and the secure module can not be accessed from outside, and the memory can be accessed from outside using a direct access method."

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<sup>1</sup> See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Accordingly, Applicants respectfully traverse, and requests reconsideration of, the rejections based on Jablon.

#### **CLAIM REJECTIONS UNDER 35 U.S.C. §103**

Claims 3, 4, 6, 18, 19, 23, 24, 26, 38, and 39 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jablon. Claims 7-11 and 27-31 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jablon in view of U.S. Patent No. 6,026,293 to Osborn ("Osborn"). Claims 12 and 32 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jablon in view of Osborn and U.S. Patent Application Publication No. 2003/00769657 to Asokan et al. ("Asokan"). Claims 12 and 32 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jablon in view of Asokan.

Applicants respectfully submit that Osborn and Asokan fail to correct or compensate for the above-identified failure of Jablon to anticipate all the features of the independent claims. Therefore, claims 2-19 and 22-39 depending from claims 1 and 21, respectively, are patentable at least by inheriting patentable features from the independent claims.

#### **NEW CLAIM 41**

New claim 41 is directed to a method of reproducing verified information, and it is fully supported by the originally filed specification. Claim 41 is patentable because prior art does not teach or suggest "reproducing second information that is stored in a memory accessible from outside an information reproducing apparatus using a direct access method, if comparison of the second information with first information stored in a secure module inaccessible from outside, indicates that the second information is not falsified."

#### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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